RECEIVED IN LAKE CHARLES, LA

TONY R. MOORE, CLERK WESTERN DISTRICT OF LOUISIANA

VS.

UNITED STATES DISTRICT COURT

WESTERN DISTRICT OF LOUISIANA

LAKE CHARLES DIVISION

CARL TODD, also known as

DOCKET NO. 2:09-cv-1927

ABDULA GORDON

: JUDGE MINALDI

ERIC H. HOLDER, JR.

: MAGISTRATE JUDGE KAY

JUDGMENT

There being no objection to the proposed findings of fact and conclusions of law in the Report and Recommendation of the Magistrate Judge previously filed herein these findings and conclusions are accepted. Alternatively, this court concludes that the proposed findings and conclusions are entirely correct. Accordingly, it is

ORDERED that the motion to Dismiss be GRANTED.

IT IS FURTHER ORDERED that the Petition for Writ of Habeas Corpus be DISMISSED WITHOUT PREJUDICE.

THUS DONE AND SIGNED in Chambers at Lake Charles, Louisiana, this day

of Orlineary, 2010

PATRICIA MINALDI

UNITED STATES DISTRICT JUDGE